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ATTORNEY FOR DEBTORS

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re: WAKIN AND CECILIA DAVENPORT

Case No. 09-46883-D-13L
DC No. MOH-1

DEBTOR(S)

DATE: FEBRUARY 23, 2010
TIME: 1:00 PM
COURTROOM: 34
JUDGE BARDWIL

DEBTORS' EXHIBITS FILED IN
SUPPORT OF DEBTORS' MOTION
TO VALUE COLLATERAL OF JIM TOTTH


1) EXHIBIT A is the RESIDENTIAL APPRAISAL SUMMARY REPORT,
File No: 09100579, which states on page 2 "Indicated Value by Sales
Comparison Approach \$270,000."

2) EXHIBIT B is the AMERICAN HOME MORTGAGE Monthly Billing
Statement dated 10/31/2009 showing a Principal Balance of \$282,997.25.

3) EXHIBIT C is Declaration of Robert E. Johnson signed under
penalty of perjury attesting as to the preparation of the appraisal.

Respectfully submitted,

Date: 1/19/10


MICHAEL O. HAYS
Attorney for Debtors

RESIDENTIAL APPRAISAL SUMMARY REPORT

File No.: 09100579

SUBJECT	Property Address: 2655 Cactus Avenue		City: Chico		State: CA		Zip Code: 95973-7609	
	County: Butte		Legal Description: Lot 31 of Bidwell 18th Subdivision					
ASSIGNMENT	Assessor's Parcel #: 016-120-020		Tax Year: 08-09		R.E. Taxes: \$ 1,730 (Est)		Special Assessments: \$ N/A	
	Current Owner of Record: Cecilia Davenport		Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Manufactured Housing		HOA: \$ N/A <input type="checkbox"/> per year <input type="checkbox"/> per month			
MARKET AREA DESCRIPTION	Project Type: <input type="checkbox"/> PUD <input type="checkbox"/> Condominium <input type="checkbox"/> Cooperative <input type="checkbox"/> Other (describe)		Map Reference: 16 B-2		Census Tract: 0001.01			
	Market Area Name: Chico							
SITE DESCRIPTION	The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe)							
	This report reflects the following value (if not Current, see comments): <input checked="" type="checkbox"/> Current (the Inspection Date is the Effective Date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective							
DESCRIPTION OF THE IMPROVEMENTS	Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (See Reconciliation Comments and Scope of Work)							
	Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)							
GENERAL DESCRIPTION	Intended Use: Opinion of Current Market Value. Not to be used in a Mortgage Transaction							
	Intended User(s) (by name or type): Current Market Value for Non-Lending Purposes							
MARKET AREA DESCRIPTION	Client: Cecilia Davenport		Address: Same as above					
	Appraiser: Robert E. Johnson		Address: P.O. Box 3959					
MARKET AREA DESCRIPTION	Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural		Predominant Occupancy		One-Unit Housing		Change in Land Use	
	Built up: <input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		<input checked="" type="checkbox"/> Owner 95		PRICE (\$000)		One-Unit 60% <input checked="" type="checkbox"/> Not Likely	
MARKET AREA DESCRIPTION	Growth rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow		<input type="checkbox"/> Tenant 5		AGE (yrs)		<input type="checkbox"/> Likely * <input type="checkbox"/> In Process *	
	Property values: <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		<input type="checkbox"/> Vacant (0-5%)		2-4 Unit 5%		* To:	
MARKET AREA DESCRIPTION	Demand/supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply		<input checked="" type="checkbox"/> Vacant (>5%)		Multi-Unit 5%			
	Marketing time: <input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.		<input checked="" type="checkbox"/> Vacant (>5%)		Comm'l 5%			
MARKET AREA DESCRIPTION	Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends): The subject is bound to the north by Eaton Road, to the west by Highway 99, to the south by Bidwell Park and to the west by Bidwell Park. Housing in the general Chico area varies greatly in size, age, quality and values. Topography is basically level. Open pockets of pasture lands are commingled throughout the residential lots and some multi-family units. This region is in a relatively stable period of its lifecycle. The immediate neighborhood is composed primarily of above average quality, single family homes (primarily built in the 1970's through 2000's). Most appear to be adequately maintained. Access to services is via East Ave, located approximately 0.5 miles to the south. The local market has been relatively active over the past two to three years, peaking in late 2005 and declining in late 2006. Prices and property values have generally stabilized in the local market over the last year with a balance of supply & demand, although some sub-markets are still experiencing some decline. Competitively priced homes in the subject area are generally expected to sell within three months slightly below list price. Buydowns are not common in the resale market. FHA, VA and conventional financing are available at market rates.							
MARKET AREA DESCRIPTION	Dimensions: Please see attached Plat Map.		Site Area: .25 Acre		<input type="checkbox"/> Corner Lot <input type="checkbox"/> Cul de Sac			
	Zoning Classification: R-1		Description: Single Family Residential		Topography: Basically Level			
MARKET AREA DESCRIPTION	Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning		Size: Typical for area		Shape: Rectangular			
	Utilities: Public <input checked="" type="checkbox"/> Other <input type="checkbox"/> Description		Off-site Improvements Type		Drainage: Appears adequate			
MARKET AREA DESCRIPTION	Electricity: <input checked="" type="checkbox"/> <input type="checkbox"/>		Street: Asphalt		View: Average			
	Gas: <input checked="" type="checkbox"/> <input type="checkbox"/>		Curb/Gutter: Concrete		Landscaping: Typical for area			
MARKET AREA DESCRIPTION	Water: <input checked="" type="checkbox"/> <input type="checkbox"/>		Sidewalk: Concrete					
	Sanitary Sewer: <input checked="" type="checkbox"/> <input type="checkbox"/>		Street Lights: Electric					
MARKET AREA DESCRIPTION	Storm Sewer: <input checked="" type="checkbox"/> <input type="checkbox"/>		Alley: None					
	FEMA Spec'l Flood Hazard Area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone X		FEMA Map # 06007C0345C		FEMA Map Date 6/8/1998			
MARKET AREA DESCRIPTION	Highest & Best Use as improved: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain)							
	Actual Use as of Effective Date: Single Family Residential Use as appraised in this report: Single Family Residential							
MARKET AREA DESCRIPTION	Summary of Highest & Best Use: The subject's Highest & Best Use is felt to be Single Family Residential.							
MARKET AREA DESCRIPTION	Site Comments: No apparent adverse easements, encroachments, special assessments, etc. were observed at the time of observation. The Client should consider engaging the services of a properly qualified professional to investigate possible easements, flood hazard areas, etc.							
MARKET AREA DESCRIPTION	General Description		Exterior Description		Foundation		Basement <input checked="" type="checkbox"/> None	
	# of Units: One <input type="checkbox"/> Acc. Unit		Foundation: Concrete		Slab: Yes		Area Sq. Ft. N/A	
MARKET AREA DESCRIPTION	# of Stories: One		Exterior Walls: Wood		Crawl Space		% Finished: N/A	
	Type: <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/>		Roof Surface: Composition		Basement: None		Ceiling: N/A	
MARKET AREA DESCRIPTION	Design (Style): Ranch		Gutters & Downspouts: Yes		Sump Pump: <input type="checkbox"/>		Walls: N/A	
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Und. Cons.		Window Type: Alum/Slider		Dampness: <input type="checkbox"/>		Floor: N/A	
MARKET AREA DESCRIPTION	Actual Age (Yrs.): 58 Years		Storm/Screen: No/Yes		Settlement: None noted		Outside Entry: N/A	
	Effective Age (Yrs.): 10 Years				Instellation: None noted			
MARKET AREA DESCRIPTION	Interior Description		Appliances		Attic		Amenities	
	Floors: Carpet/Vinyl		Refrigerator: <input type="checkbox"/> None <input checked="" type="checkbox"/>		Fireplace(s) #		Woodstove(s) #	
MARKET AREA DESCRIPTION	Walls: Sheetrock		Range/Oven: <input checked="" type="checkbox"/> Stairs: <input type="checkbox"/> Patio					
	Trim/Finish: Wood/Paint		Disposal: <input checked="" type="checkbox"/> Drop Stair: <input type="checkbox"/> Deck					
MARKET AREA DESCRIPTION	Bath Floor: Tile		Dishwasher: <input checked="" type="checkbox"/> Scuttle: <input type="checkbox"/> Porch					
	Bath Wainscot: Fiberglass		Fan/Hood: <input checked="" type="checkbox"/> Floor: <input type="checkbox"/> Fence					
MARKET AREA DESCRIPTION	Doors: SC(ext)/VHC(int)		Microwave: <input checked="" type="checkbox"/> Heated: <input type="checkbox"/> Pool					
	Washer/Dryer: <input type="checkbox"/> Finished: <input type="checkbox"/>							
MARKET AREA DESCRIPTION	Finished area above grade contains: 6 Rooms		3 Bedrooms		2 Bath(s)		1,454 Square Feet of Gross Living Area Above Grade	
	Additional features: Home has recently been updated, however the second bathroom was not permitted.							
MARKET AREA DESCRIPTION	Describe the condition of the property (including physical, functional and external obsolescence): Typical physical depreciation and no obvious repairs were noted at the time of observation. No functional or external depreciation was noted at the time of observation. The subject is an average quality home that appears to have been adequately maintained and appears to be in average condition.							

EXHIBIT A

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RESIDENTIAL APPRAISAL SUMMARY REPORT

File No.: 09100579

COST APPROACH	COST APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Cost Approach was not developed for this appraisal.	
	Provide adequate information for replication of the following cost figures and calculations.	
	Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value): <u>N/A</u>	
INCOME APPROACH	ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW	
	Source of cost data: <u>N/A</u>	
	Quality rating from cost service: <u>N/A</u> Effective date of cost data: <u>N/A</u>	
	Comments on Cost Approach (gross living area calculations, depreciation, etc.): <u>N/A</u>	
PUD	PROJECT INFORMATION FOR PUDs (if applicable) <input type="checkbox"/> The Subject is part of a Planned Unit Development.	
	Legal Name of Project: <u>N/A</u>	
	Describe common elements and recreational facilities: <u>N/A</u>	
RECONCILIATION	Indicated Value by: Sales Comparison Approach \$ <u>270,000</u> Cost Approach (if developed) \$ <u>N/A</u> Income Approach (if developed) \$ <u>N/A</u>	
	Final Reconciliation: The Sales Comparison Approach was felt to be the most accurate indicator of the subject's market value. The Cost Approach was not considered a reliable indicator of market value. The Income Approach is not applicable for SFR properties which are not bought and sold for their income producing capabilities. Professional Assistance was provided by April M. Hambek (see attached Supplemental Addendum).	
	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair:	
ATTACHMENTS	Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ <u>270,000</u> as of: <u>10/20/2009</u> , which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.	
	A true and complete copy of this report contains <u>15</u> pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.	
	Attached Exhibits:	
	<input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Cond./Certifications <input type="checkbox"/> Hypothetical Conditions <input type="checkbox"/> Extraordinary Assumptions <input type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Sketch Addendum <input checked="" type="checkbox"/> Location Map(s) <input type="checkbox"/> Flood Addendum <input checked="" type="checkbox"/> Additional Sales <input type="checkbox"/> Cost Addendum <input type="checkbox"/> Manuf. House Addendum <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
	Client Contact: _____ Client Name: <u>Cecilia Davenport</u>	
	E-Mail: _____ Address: <u>Same as above</u>	
	APPRaiser	
	SUPERVISORY APPRAISER (if required) or CO-APPRaiser (if applicable)	
	Supervisory or Co-Appraiser Name: _____	
	Company: _____	
Phone: _____ Fax: _____		
E-Mail: _____		
Date of Report (Signature): <u>10/23/2009</u> State: <u>CA</u>		
License or Certification #: <u>AR028232</u> State: <u>CA</u>		
Expiration Date of License or Certification: <u>7/31/2011</u>		
Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None		
Date of Inspection: <u>10/20/2009</u>		

ADDITIONAL COMPARABLE SALES

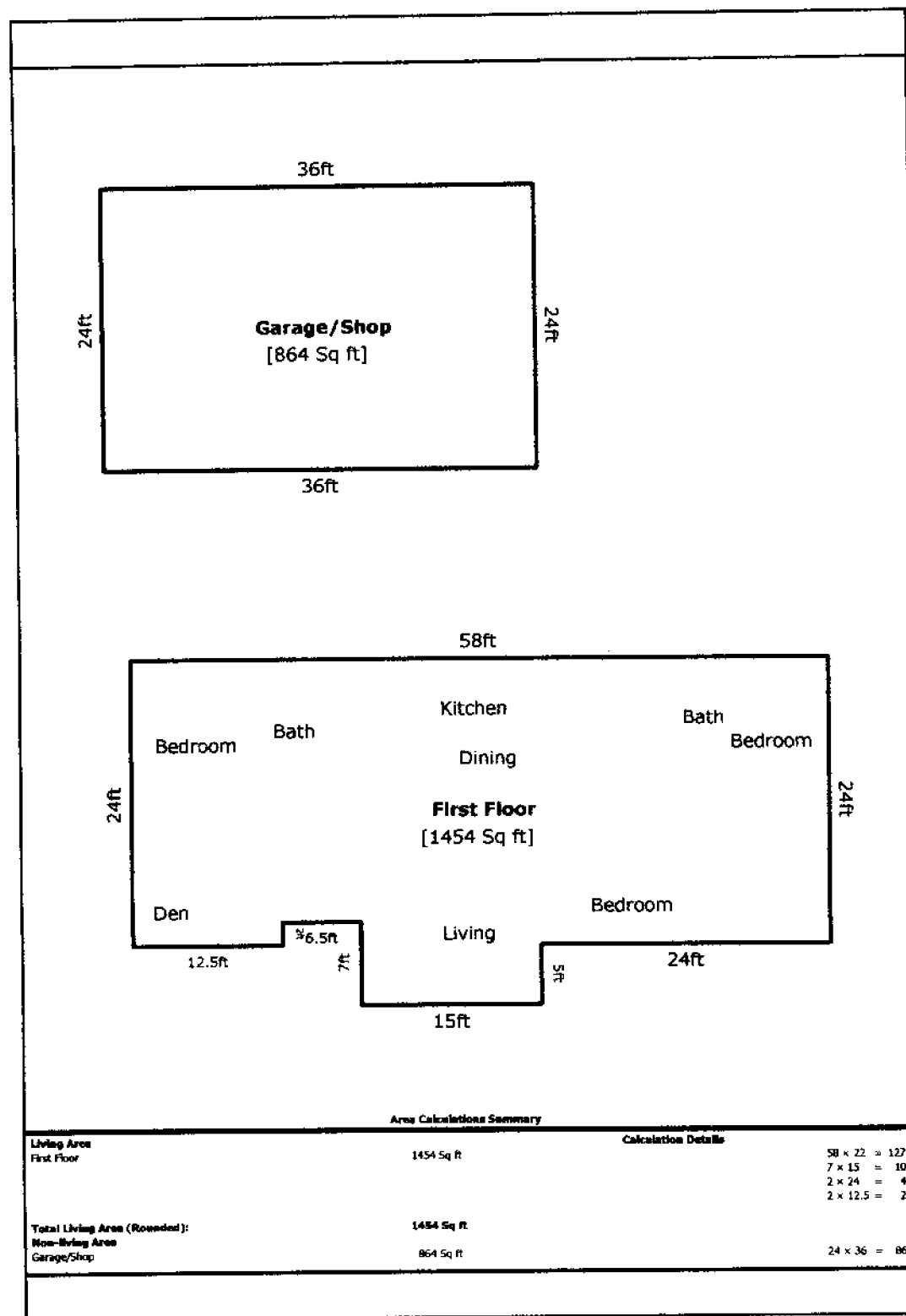
File No.: 09100579

FEATURE		SUBJECT		COMPARABLE SALE #4		COMPARABLE SALE #5		COMPARABLE SALE #6	
Address 2655 Cactus Avenue Chico, CA 95973-7609		4 Vintage Court Chico		2737 Swallowtail Way Chico					
Proximity to Subject		0.28 miles SW		0.60 miles W					
Sale Price		\$ 260,000		\$ 250,000					
Sale Price/GLA		\$ 171.96 /sq.ft.		\$ 179.08 /sq.ft.					
Data Source(s)		Observation		Observation					
Verification Source(s)		Co. Rec.		Co. Rec.					
VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION		DESCRIPTION		DESCRIPTION	
Sales or Financing Concessions		Conv/DOM 14 REO Sale		FHA/DOM 46 None					
Rights Appraised		Fee Simple		Fee Simple					
Date of Sale/Time		08/26/2009		09/08/2009					
Location		Average		Average					
Site		0.25 Acre		0.12 Acre +5,000		0.14 Acre +5,000			
View		Average		Average					
Design (Style)		Ranch		Ranch					
Quality of Construction		Average		Average					
Actual Age		58 Yrs./10 Eff.		8 Years(Similar)		New -5,000			
Condition		Average		Average					
Above Grade		Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths	
Room Count		6 3 2		6 3 2		6 3 2			
Gross Living Area		1,454 sq.ft.		1,512 sq.ft.		1,396 sq.ft.		sq.ft.	
Basement & Finished Rooms Below Grade		None N/A		None N/A		None N/A			
Functional Utility		Average		Average					
Heating/Cooling		Cent.Heat/Cool		Cent.Heat/Cool		Cent.Heat/Cool			
Energy Efficient Items		N/A		Typical		Typical			
Garage/Carport		2 Cr.Grp/Shop		2 Car Garage/Pool		2 Car Garage +5,000			
Porch/Patio/Deck		Porch,Patio		Porch,Patio					
Fireplace		None		Fireplace -2,000		None			
Other Features		N/A		N/A		N/A			
Built-ins		Built-ins		Built-ins		Built-ins			
Net Adjustment (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 3,000		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 5,000		<input type="checkbox"/> + <input type="checkbox"/> - \$			
Adjusted Sale Price of Comparables		\$ 263,000		\$ 255,000					
Summary of Sales Comparison Approach									

SALES COMPARISON APPROACH

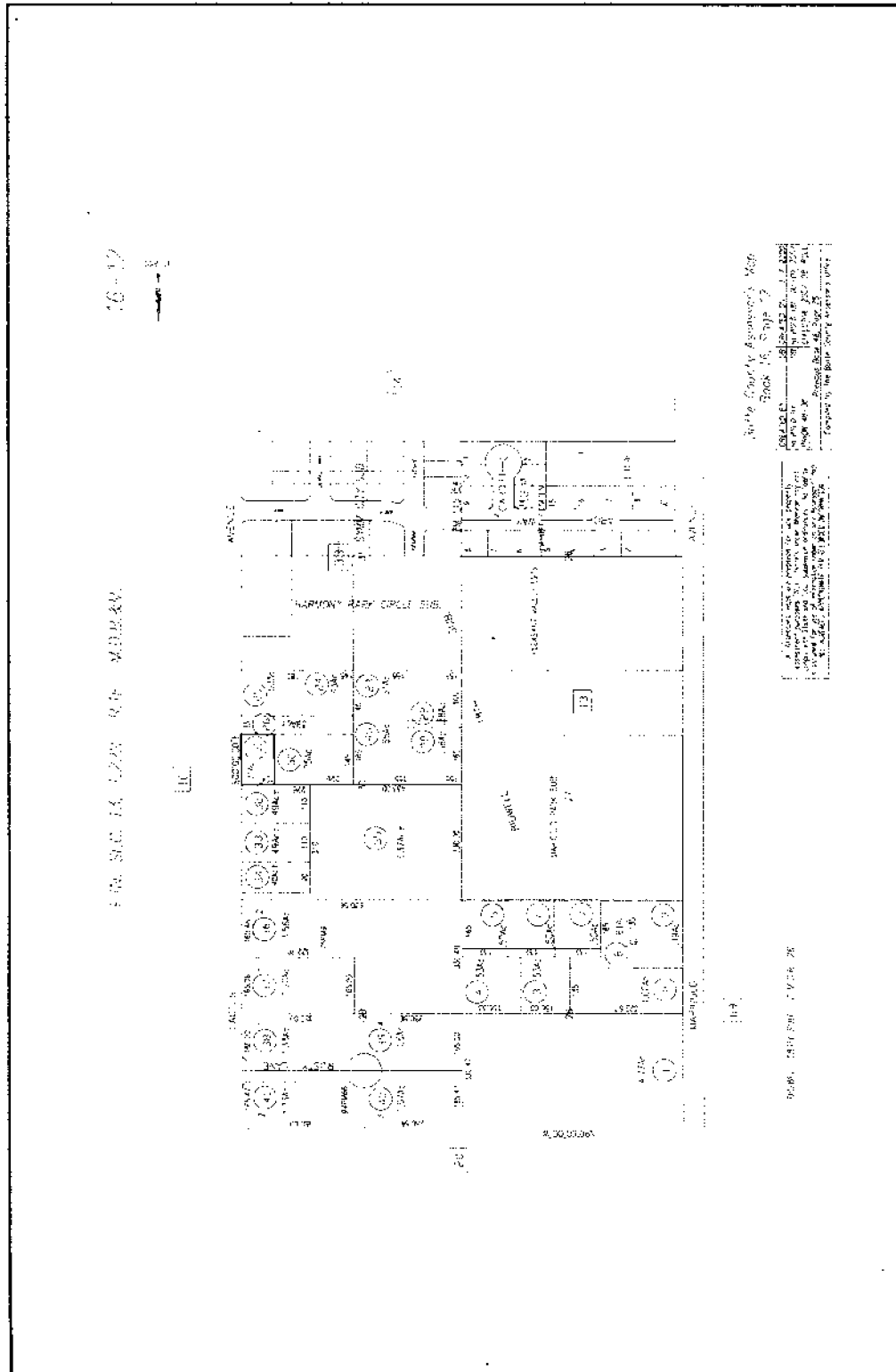
Building Sketch

Borrower/Client	Cecilia Devanport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA Zip Code 95973-7809
Lender	Cecilia Davenport				



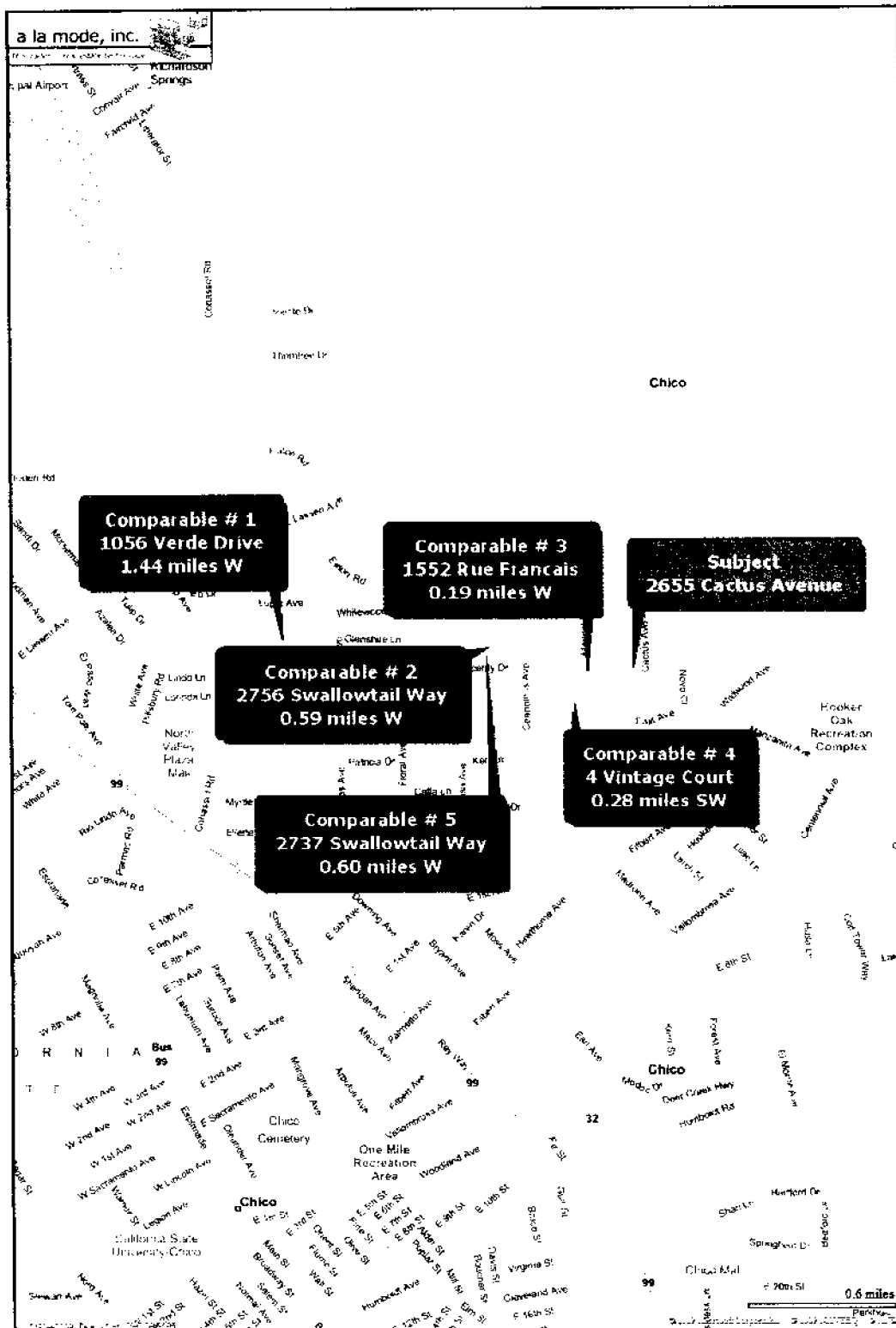
Plat Map

Borrower/Client	Cecilia Davenport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA Zip Code 95973-7609
Lender	Cecilia Davenport				



Location Map

Borrower/Client	Cecilia Davenport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA Zip Code 95973-7609
Lender	Cecilia Davenport				



Photograph Addendum

Borrower/Client	Cecilia Devanport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA Zip Code 95973-7609
Lender	Cecilia Davenport				



Subject Garage



Subject Interior



Subject Interior



Subject Interior

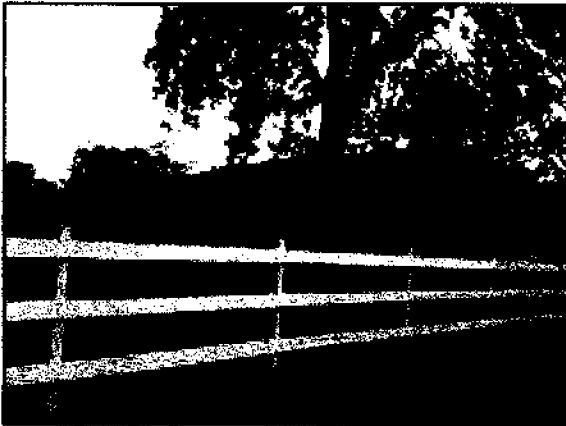
Signature *Robert E. Johnson*
 Name Robert E. Johnson
 Date Report Signed 10/23/2009
 State Certification # AR028232 State CA
 Or State License # _____ State _____

Subject Photo Page

Borrower/Client	Cecilia Devanport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA Zip Code 95973-7609
Lender	Cecilia Davenport				

**Subject Front**

2655 Cactus Avenue
 Sales Price
 Gross Living Area 1,454
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2
 Location Average
 View Average
 Site 0.25 Acre
 Quality Average
 Age 58 Yrs./10 Eff.

**Subject Garage****Subject Street**

Comparable Photo Page

Borrower/Client	Cecilia Devanport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA Zip Code 95973-7809
Lender	Cecilia Davenport				

**Comparable 1**

1056 Verde Drive
 Prox. to Subject 1.44 miles W
 Sales Price 273,000
 Gross Living Area 1,571
 Total Rooms 7
 Total Bedrooms 3
 Total Bathrooms 2
 Location Average
 View Average
 Site 0.27 Acre
 Quality Average
 Age 46 Years/10 Eff.

**Comparable 2**

2756 Swallowtail Way
 Prox. to Subject 0.59 miles W
 Sales Price 260,000
 Gross Living Area 1,464
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2
 Location Average
 View Average
 Site 0.12 Acre +/-
 Quality Average
 Age New

**Comparable 3**

1552 Rue Francais
 Prox. to Subject 0.19 miles W
 Sales Price 270,000
 Gross Living Area 1,477
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2
 Location Average
 View Average
 Site 0.14 Acre
 Quality Average
 Age 8 Years(Similar)

Comparable Photo Page

Borrower/Client	Cecilia Devanport				
Property Address	2656 Cactus Avenue				
City	Chico	County	Butte	State	CA
Zip Code	95973-7609				
Lender	Cecilia Davenport				

**Comparable 4**

4 Vintage Court
 Prox. to Subject 0.28 miles SW
 Sales Price 260,000
 Gross Living Area 1,512
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2
 Location Average
 View Average
 Site 0.12 Acre
 Quality Average
 Age 8 Years(Similar)

**Comparable 5**

2737 Swallowtail Way
 Prox. to Subject 0.60 miles W
 Sales Price 250,000
 Gross Living Area 1,396
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2
 Location Average
 View Average
 Site 0.14 Acre
 Quality Average
 Age New

Comparable 6

Prox. to Subject
 Sales Price
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location
 View
 Site
 Quality
 Age

Assumptions, Limiting Conditions & Scope of Work

File No.: 09100579

Property Address: 2655 Cactus Avenue City: Chico State: CA Zip Code: 95973-7609

Client: Cecilia Davenport

Address:

Appraiser: Robert E. Johnson

Address: P.O. Box 3959, Chico, CA 95927-3959

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a "home inspection" and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

A personal observation of the subject was made by the Appraiser on the date noted in the appraisal to develop this Appraisal Summary Report which was developed by applying appropriate valuation methods relative to the most probable utilization of the property and an examination of market data meaningful to the analysis and findings into a final opinion of value. The purpose of the appraisal observation is to ascertain size of improvements, physical characteristics and general conditions. Those factors such as age, condition and location were considered in order to determine the physical and economic factors that could affect the subject. Data was gathered about the characteristics of the subject property that are significant in the market for this type of property under its highest and best use. Analysis included sales of other properties held in fee simple ownership situated in the subject's market area that are similar to the subject in as many other respects as possible. The multiple listing service, county records and other sources deemed reliable were researched and verified when possible in the development of this report. No examination of title was made. It is assumed title is transferable. The Appraiser is not a qualified home inspector and has not completed a home inspection on the subject.

The reader should be aware that the Appraiser is not a building or property inspector and all representations made regarding the subject property and improvements are based on cursory observation only. The Appraiser's observation of the property is a limited visual observation without inspection of crawl space, if present, or into attic area, or into hidden or concealed areas. The Appraiser does not test appliances, plumbing, heating or air conditioning as to functional capacity. The Appraiser does a limited visual observation of the roofing from ground level. The Appraiser is not a licensed roofer. The Appraiser is not a whole house inspector. No warranty or guarantee of the property is implied by the Appraiser's observation or appraisal completed on the property. The Client, Borrower, or any interested party should satisfy themselves and/or seek appropriate professional consultation for all concerns regarding the subject property and improvements.

See attached Additional Scope of Work Comments.

Certifications

File No.: 09100579

Property Address: 2655 Cactus Avenue

City: Chico

State: CA Zip Code: 95973-7609

Client: Cecilia Davenport

Address:

Appraiser: Robert E. Johnson

Address: P.O. Box 3959, Chico, CA 95927-3959

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

Additional Certifications:

This appraisal document was prepared with digital signatures which are encrypted in the report at time of creation of the completed document and would require use of the Appraiser's confidential password to make any modifications to the report. This is the consistent and standard prevailing practice as to preparation of appraisal reports for submission using electronic data transfer. When used in this report signature is representing that the report was signed by means of a password protected digital signature representing an original signature. USPAP and the Appraisal Standards Board state that electronically affixing a signature to a report carries the same level of authenticity and responsibility as an ink signature on a paper copy report.

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact:

Client Name:

Cecilia Davenport

E-Mail:

Address:

APPRAISER

SUPERVISORY APPRAISER (If required) or CO-APPRAISER (If applicable)

Appraiser Name: Robert E. Johnson

Company: ACJ Appraisal Service

Phone: (530) 893-5515

Fax: (530) 893-5755

E-Mail: bert@acjappraisalservice.com

Date Report Signed: 10/23/2009

License or Certification #: AR028232

State: CA

Designation:

Expiration Date of License or Certification: 7/31/2011

Inspection of Subject: ☒ Interior & Exterior ☐ Exterior Only ☐ None

Date of Inspection: 10/20/2009

Supervisory or
Co-Appraiser Name:

Company:

Phone:

Fax:

E-Mail:

Date Report Signed:

License or Certification #:

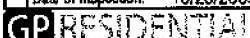
State:

Designation:

Expiration Date of License or Certification:

Inspection of Subject: ☐ Interior & Exterior ☐ Exterior Only ☐ None

Date of Inspection:



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Additional Scope of Work Comments

File No. 09100579

Borrower/Client	Cecilia Devanport				
Property Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA
Lender	Cecilia Devanport			Zip Code	95973-7609

Additional Scope of Work Comments**Legal Description Comments:**

The legal description stated in the report is the only indication available to Appraiser. No title report, title documents, information on easements, setbacks, encroachments, CC & R's, B-laws, or other information was provided to Appraiser by Client or Title Company. Lack of specific information does not indicate impacting appraisal results. Taxes indicated are from published information. Taxes are indicated under Proposition 13 indicators. Assessed values do not typically indicate market values due to Proposition 13 criteria. On sale taxes would be adjusted to new sales price at time of reassessment.

Zoning Classification and Description Comments:

Zoning information was obtained from either published data in published zoning maps of location or from confirmation from local jurisdiction.

Site Comments:

No title report was provided. Information was from public records in ParcelQuest or from confirmation from local jurisdiction. No information on easements, encroachments, set backs, CC & R's, B-laws or other information was provided to the Appraiser by Client or Title Company. Appraisal is based on visual observation only. Lack of specific information does not indicate impacting appraisal results. Any special assessments known to the Appraiser are indicated in the annual tax bills. No negative impact is indicated in market data as to assessments. No detrimental site conditions were seen by the Appraiser. Site size is from measurements on site map available to the Appraiser or as published in ParcelQuest or from confirmation from local jurisdiction.

Additional Features Comments:

Condition rating of items as to good, average or fair are based on consideration of age of home & same location. Relative conditions are indicated from data within the same general neighborhood location as to competitive aged homes. Good indicates a condition, or conditions, which are superior to normal for age which may reflect cosmetic updating or repair or replacement of items. Average is conditions generally normal in area with normal maintenance of items. Less than average and Fair are specific conditions, or general conditions overall, which do not reflect normal conditions in market. When items are known needing repair wherein they may be impacting value compared to average the adjustments used as based on the Appraiser's understanding or indicated impression of value impact for the less than average conditions.

Sales Comparison Grid Comments:

Date of sale indicates the closing date/sale date of the comparable property except where noted. A date of sale indicates a "settlement or closing date."

Final Reconciliation Comments:

The Sales Comparison Approach indicator was considered the most appropriate value indicator. The Cost Approach is not typically considered a reliable indicator of market value. Market data indicator from buyers and sellers was considered more accurate in reflecting value in market. The market demand for homes in area reflects that market prices are higher than cost data indicators. The Income Approach was not considered as an appropriate indicator due to the lack of supporting data that homes sold in the area were being sold based on the income data.

The Estimate of Market Value in the form report is an indication of the Opinion of Market Value as prescribed by the USPAP. This appraisal is in compliance with USPAP effective January 1, 2008.

Professional Assistance

Professional assistance was provided by April M. Hambek. She provided significant real property appraisal assistance in the identification of the appraisal problem. This includes data collection, inspection of the subject property, researched and inspected all the comparable sales, and was involved in the analysis of the data and provided assistance in concluding the final value opinion. She was responsible for producing the final report. Her involvement in the appraisal encompassed 100% of the appraisal process.

ENVIRONMENTAL ADDENDUM **APPARENT* HAZARDOUS SUBSTANCES AND/OR DETRIMENTAL ENVIRONMENTAL CONDITIONS**

Borrower/Client	Cecilia Davenport				
Address	2655 Cactus Avenue				
City	Chico	County	Butte	State	CA
Lender	Cecilia Davenport	Zip code	95973-7609		

*Apparent is defined as that which is visible, obvious, evident or manifest to the appraiser.

This universal Environmental Addendum is for use with any real estate appraisal. Only the statements which have been checked by the appraiser apply to the property being appraised.

This addendum reports the results of the appraiser's routine inspection of and inquiries about the subject property and its surrounding area. It also states what assumptions were made about the existence (or nonexistence) of any hazardous substances and/or detrimental environmental conditions. The appraiser is not an expert environmental inspector and therefore might be unaware of existing hazardous substances and/or detrimental environmental conditions which may have a negative effect on the safety and value of the property. It is possible that tests and inspections made by a qualified environmental inspector would reveal the existence of hazardous materials and/or detrimental environmental conditions on or around the property that would negatively affect its safety and value.

DRINKING WATER

- ☐ Drinking Water is supplied to the subject from a municipal water supply which is considered safe. However the only way to be absolutely certain that the water meets published standards is to have it tested at all discharge points.
- ☐ Drinking Water is supplied by a well or other non-municipal source. It is recommended that tests be made to be certain that the property is supplied with adequate pure water.
- ☐ Lead can get into drinking water from its source, the pipes, at all discharge points, plumbing fixtures and/or appliances. The only way to be certain that water does not contain an unacceptable lead level is to have it tested at all discharge points.
- ☒ The value estimated in this appraisal is based on the assumption that there is an adequate supply of safe, lead-free Drinking Water.

Comments _____

SANITARY WASTE DISPOSAL

- ☐ Sanitary Waste is removed from the property by a municipal sewer system.
- ☐ Sanitary Waste is disposed of by a septic system or other sanitary on site waste disposal system. The only way to determine that the disposal system is adequate and in good working condition is to have it inspected by a qualified inspector.
- ☒ The value estimated in this appraisal is based on the assumption that the Sanitary Waste is disposed of by a municipal sewer or an adequate properly permitted alternate treatment system in good condition.

Comments _____

SOIL CONTAMINANTS

- ☐ There are no apparent signs of Soil Contaminants on or near the subject property (except as reported in Comments below). It is possible that research, inspection and testing by a qualified environmental inspector would reveal existing and/or potential hazardous substances and/or detrimental environmental conditions on or around the property that would negatively affect its safety and value.
- ☒ The value estimated in this appraisal is based on the assumption that the subject property is free of Soil Contaminants.

Comments _____

ASBESTOS

- ☐ All or part of the improvements were constructed before 1979 when Asbestos was a common building material. The only way to be certain that the property is free of friable and non-friable Asbestos is to have it inspected and tested by a qualified asbestos inspector.
- ☐ The improvements were constructed after 1979. No apparent friable Asbestos was observed (except as reported in Comments below).
- ☒ The value estimated in this appraisal is based on the assumption that there is no uncontained friable Asbestos or other hazardous Asbestos material on the property.

Comments _____

PCBs (POLYCHLORINATED BIPHENYLS)

- ☐ There were no apparent leaking fluorescent light ballasts, capacitors or transformers anywhere on or nearby the property (except as reported in Comments below).
- ☐ There was no apparent visible or documented evidence known to the appraiser of soil or groundwater contamination from PCBs anywhere on the property (except as reported in Comments below).
- ☒ The value estimated in this appraisal is based on the assumption that there are no uncontained PCBs on or nearby the property.

Comments _____

RADON

- ☐ The appraiser is not aware of any Radon tests made on the subject property within the past 12 months (except as reported in Comments below).
- ☐ The appraiser is not aware of any indication that the local water supplies have been found to have elevated levels of Radon or Radium.
- ☐ The appraiser is not aware of any nearby properties (except as reported in Comments below) that were or currently are used for uranium, thorium or radium extraction or phosphate processing.
- ☒ The value estimated in this appraisal is based on the assumption that the Radon level is at or below EPA recommended levels.

Comments _____

USTs (UNDERGROUND STORAGE TANKS)

- There is no apparent visible or documented evidence known to the appraiser of any USTs on the property nor any known historical use of the property that would likely have had USTs.
- There are no apparent petroleum storage and/or delivery facilities (including gasoline stations or chemical manufacturing plants) located on adjacent properties (except as reported in Comments below).
- There are apparent signs of USTs existing now or in the past on the subject property. It is recommended that an inspection by a qualified UST inspector be obtained to determine the location of any USTs together with their condition and proper registration if they are active; and if they are inactive, to determine whether they were deactivated in accordance with sound industry practices.
- ☒ The value estimated in this appraisal is based on the assumption that any functioning USTs are not leaking and are properly registered and that any abandoned USTs are free from contamination and were properly drained, filled and sealed.

Comments _____

NEARBY HAZARDOUS WASTE SITES

- There are no apparent Hazardous Waste Sites on the subject property or nearby the subject property (except as reported in Comments below). Hazardous Waste Site search by a trained environmental engineer may determine that there is one or more Hazardous Waste Sites on or in the area of the subject property.
- ☒ The value estimated in this appraisal is based on the assumption that there are no Hazardous Waste Sites on or nearby the subject property that negatively affect the value or safety of the property.

Comments _____

UREA FORMALDEHYDE (UFFI) INSULATION

- All or part of the improvements were constructed before 1982 when UREA foam insulation was a common building material. The only way to be certain that the property is free of UREA formaldehyde is to have it inspected by a qualified UREA formaldehyde inspector.
- The improvements were constructed after 1982. No apparent UREA formaldehyde materials were observed (except as reported in Comments below).
- ☒ The value estimated in this appraisal is based on the assumption that there is no significant UFFI insulation or other UREA formaldehyde material on the property.

Comments _____

LEAD PAINT

- All or part of the improvements were constructed before 1980 when Lead Paint was a common building material. There is no apparent visible or known documented evidence of peeling or flaking Lead Paint on the floors, walls or ceilings (except as reported in Comments below). The only way to be certain that the property is free of surface or subsurface Lead Paint is to have it inspected by a qualified inspector.
- The improvements were constructed after 1980. No apparent Lead Paint was observed (except as reported in Comments below).
- ☒ The value estimated in this appraisal is based on the assumption that there is no flaking or peeling Lead Paint on the property.

Comments _____

AIR POLLUTION

- There are no apparent signs of Air Pollution at the time of the inspection nor were any reported (except as reported in Comments below). The only way to be certain that the air is free of pollution is to have it tested.
- ☒ The value estimated in this appraisal is based on the assumption that the property is free of Air Pollution.

Comments _____

WETLANDS/FLOOD PLAINS

- The site does not contain any apparent Wetlands/Flood Plains (except as reported in Comments below). The only way to be certain that the site is free of Wetlands/Flood Plains is to have it inspected by a qualified environmental professional.
- ☒ The value estimated in this appraisal is based on the assumption that there are no Wetlands/Flood Plains on the property (except as reported in Comments below).

Comments _____

MISCELLANEOUS ENVIRONMENTAL HAZARDS

- There are no other apparent miscellaneous hazardous substances and/or detrimental environmental conditions on or in the area of the site except as indicated below:
- ☐ Excess Noise _____
 - ☐ Radiation + Electromagnetic Radiation _____
 - ☐ Light Pollution _____
 - ☐ Waste Heat _____
 - ☐ Acid Mine Drainage _____
 - ☐ Agricultural Pollution _____
 - ☐ Geological Hazards _____
 - ☐ Nearby Hazardous Property _____
 - ☐ Infectious Medical Wastes _____
 - ☐ Pesticides _____
 - ☐ Others (Chemical Storage + Storage Drums, Pipelines, etc.) _____
- ☒ The value estimated in this appraisal is based on the assumption that there are no Miscellaneous environmental Hazards (except those reported above) that would negatively affect the value of the property.

When any of the environmental assumptions made in this addendum are not correct, the estimated value in this appraisal may not be valid.



RETURN TO SERVICE ONLY
Please do not send mail to this address
P.O. Box 619063
Dallas, TX 75261-9063



0-764-45673-0001437-001-1-000-100-000-000

WAKIN DAVENPORT
CECILIA DAVENPORT
2655 CACTUS AVE
CHICO CA 95973-7609

Customer Care Department 1-877-304-3100
7:00am - 9:00pm CST Monday through Friday
7:00am - 4:00pm CST Saturday
Web site: www.ahmsi3.com

MONTHLY BILLING STATEMENT

Property Address: 2655 CACTUS AVE
CHICO CA 95973

Statement Date: 10/31/2009
Payment Due Date: 12/01/2009
Loan Number: 0031190242

PAYMENT SUMMARY

AMOUNT
Principal Balance \$282,997.25
Escrow Balance \$0.00
Unpaid Late Charges \$0.00
Interest Rate 3.480%

Year To Date
Interest \$12,685.46
Taxes \$0.00

Total Deferred Interest Balance* \$0.00

* Deferred interest has been applied to the outstanding principal balance of the loan

IMPORTANT MESSAGES

American Home Mortgage Servicing Inc. has made it easier than ever to view and access account information through many of our self service options. Log onto www.ahmsi3.com to learn more on how to make payments online, order payoff statements, access your loan history and much more! Our secure website is available for your convenience 24 hours a day.

*cjdavenport
WWD 7712*

*conf #
4894169*

TRANSACTIONS SINCE LAST STATEMENT

Date	Description	Principal	Interest	Escrow	Misc. Late/Other Charges	Total
10/31/09	PAYMENT	\$229.24	\$851.33	\$0.00	\$0.00	\$1,080.57

1090.52

SPECIAL MESSAGES

Payment Options

- Option 1: Minimum Payment**
This is the minimum amount that must be paid. Paying this 'minimum' payment amount may not be enough to pay all of the monthly interest due. If this occurs, the remaining unpaid interest is then added to your principal balance increasing the total amount owed on your mortgage.
- Option 2: Interest Only Payment**
This is a payment of only the actual amount of interest due for the month at the current note rate. This payment option is only available if the amount of interest due is equal to or greater than the minimum payment amount. Since no funds are included for application to the principal loan balance, this payment does not reduce the total amount owed on your mortgage. Please note this payment amount will change monthly based on what you paid for your prior payment.
- Option 3: Fully Amortized Payment**
This is the traditional payment of principal and interest in an amount calculated to pay the entire principal balance at the current interest rate over the remaining term of your loan. This payment reduces the amount owed on your mortgage. Please note this payment amount will change monthly based on what you paid for your prior payment.
- Option 4: Full 15-year Amortized Payment**
This is the traditional payment of principal and interest in an amount calculated to pay the entire principal balance at the current interest rate over a 15 year period. This payment reduces the amount owed on your mortgage. Please note this payment amount will change monthly based on what you paid for your prior payment.

Payment Options	Principal & Interest	Escrow	Optional Products	Past Due Payments	Other Fees/ Late Charges	Total Amount Due	Advances	Total Payment Due
Minimum Payment	\$1,080.57	\$0.00	\$0.00	\$0.00	\$0.00	\$1,080.57	\$0.00	\$1,080.57
Interest Only Payment	\$1,080.57	\$0.00	\$0.00	\$0.00	\$0.00	\$1,080.57	\$0.00	\$1,080.57
Fully Amortized Payment	\$1,140.61	\$0.00	\$0.00	\$0.00	\$0.00	\$1,140.61	\$0.00	\$1,140.61
Full 15 Year Amortized Payment	\$2,476.70	\$0.00	\$0.00	\$0.00	\$0.00	\$2,476.70	\$0.00	\$2,476.70

EXHIBIT B

Declaration of Bankruptcy Letter

Borrower/Client	Cecilia Davenport			
Property Address	2655 Cactus Avenue			
City	Chico	County	Butte	State CA Zip Code 95973-7609
Lender	Cecilia Davenport			

Declaration of Robert E. Johnson

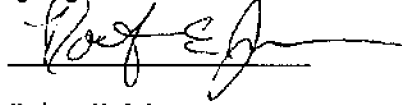
My name is Robert E. Johnson and if called to personally testify I would do so substantially as follows:

1) I have been professionally trained in the field of residential and commercial real estate appraisal and am currently licensed to do so in the state of California, License #AR028232. My place of business is 30 Philadelphia Drive, Suite E, Chico, CA 95973.

2) I was recently hired by Cecilia Davenport to prepare an appraisal of their residence at 2655 Cactus Avenue, CA. The appraisal was prepared consistent with my training with the information set forth in the body of the appraisal, which is entitled RESIDENTIAL APPRAISAL SUMMERY REPORT, File No. 09100579, and dated 10/23/2009. I determined Debtors' residence to have a value of \$270,000 as of 10/20/09.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 10/23/09



Robert E. Johnson

EXHIBIT C